

**Effective 5/12/2015**

## **Part 1 General Provisions**

### **35A-12-101 Title.**

This chapter is known as the "Achieving a Better Life Experience Program Act."

Enacted by Chapter 460, 2015 General Session

### **35A-12-102 Definitions.**

As used in this chapter:

- (1) "Account" means a state Achieving a Better Life Experience Program account established under this chapter.
- (2) "Account administrator" means a person who administers accounts in accordance with this chapter.
- (3) "Account agreement" means an agreement between an account administrator and an account owner to establish an account.
- (4) "Account owner" means the following who enter into an agreement with an account administrator to establish an account under this chapter:
  - (a) an eligible individual; or
  - (b) if the eligible individual is under 18 years of age or is incapacitated, a parent or legal guardian of the eligible individual.
- (5) "Beneficiary" means an individual who is:
  - (a) an eligible individual;
  - (b) a resident of:
    - (i) this state; or
    - (ii) a contracting state; and
  - (c) designated as the beneficiary of an account under an account agreement.
- (6) "Contracting state" means a state that:
  - (a) does not have an Achieving a Better Life Experience program that meets the requirements to be a qualified Achieving a Better Life Experience program under the federal Achieving a Better Life Experience Act; and
  - (b) has entered into a contract with this state to provide residents of the other state access to the state Achieving a Better Life Experience Program.
- (7) "Eligible individual" means an individual who, before the individual turns 26 years of age:
  - (a) as determined by the department, has a medically determinable physical or mental impairment that:
    - (i) results in marked and severe functional limitations that can be expected to result in death; or
    - (ii) has lasted or can be expected to last for a continuous period of 12 months or more; or
  - (b) is eligible for benefits under title II or title XVI of the Social Security Act on the basis of blindness.
- (8) "Federal Achieving a Better Life Experience Act" means the Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014, Pub. L. No. 113-295, 128 Stat. 4010.
- (9) "Qualified disability expenses" means the same as that term is defined in the federal Achieving a Better Life Experience Act.
- (10) "State Achieving a Better Life Experience Program" means the program created by this chapter.

Enacted by Chapter 460, 2015 General Session